

REMARKS

Claims 1, 3-8, 10-16, and 18-23 are pending in the application. Claims 1, 3-8, 10, 13, 15, 16, and 18-22 have been amended. New claim 23 has been added. No new matter has been added.

It is noted that the claims amendments are made only for pointing out the claimed invention more particularly, and not for distinguishing the invention over the prior art, narrowing the claims, or for statutory requirements for patentability. Further Applicant specifically states that no amendment to any claim herein should be construed as a disclaimer of any interest in or right to an equivalent of any element or feature of the amended claim.

Claims 1-22 stand rejected under 35 U.S.C. § 102(b) as being anticipated by SCHWARTZ (U.S. Patent Publication No. 2002/0091777).

Applicant respectfully traverses these rejections in the following discussion.

I. THE CLAIMED INVENTION

An exemplary aspect of the claimed invention, as recited in independent claim 1, is directed to a method of automatically replying to a received e-mail in a mobile terminal having a function of transmitting and receiving an e-mail, the method including determining whether to automatically reply to the received e-mail, determining whether the received e-mail originates from a known address, determining whether text data is associated with the known address, determining whether image data is associated with the known address, editing the image data in accordance with the known address, automatically transmitting the image data determined in accordance with the known address of the received e-mail to the address if the method determines to automatically reply to the received e-mail.

Another exemplary aspect of the claimed invention, as recited in independent claim 6, is directed to a method of automatically replying to a received e-mail in a mobile terminal having a function of transmitting and receiving an e-mail, including checking whether an address of a transmitter of a received e-mail is stored in a memory, checking whether image data associated with the address is stored in the memory, editing the image data in accordance with the address, and transmitting the image data to the address.

Another exemplary aspect of the claimed invention, as recited in independent claim 11, is directed to a mobile terminal having functions of transmitting and receiving an e-mail, and automatically replying to a received e-mail, comprising a controller for automatically transmitting image data determined in accordance with an address of a transmitter of the received e-mail.

Another exemplary aspect of the claimed invention, as recited in independent claim 19, is directed to a computer readable medium having a program for causing a computer to carry out a method of automatically replying to a received e-mail in a mobile terminal comprising a function of transmitting and receiving an e-mail, wherein steps executed by said computer in accordance with said program include and automatically transmitting image data determined in accordance with an address of a transmitter of said received e-mail, to said address.

Another exemplary aspect of the claimed invention, as recited in independent claim 20, is directed to a computer readable medium comprising a program for causing a computer to carry out a method of automatically replying to a received e-mail in a mobile terminal comprising a function of transmitting and receiving an e-mail, wherein steps executed by the computer in accordance with the program include checking whether an address of a

transmitter of a received e-mail is stored in a memory, checking whether image data associated with said address is stored in said memory, checking whether text data is associated with the known address, editing the image data in accordance with the known address, and transmitting said image data to said address.

Conventional automatic e-mail response devices require that the server perform the forwarding of e-mails. Further, conventional automatic e-mail response methods, however, only allow characters and letters for making a response. Thus, the conventional automatic e-mail response results in reduced visibility. In addition, these characters and letters are predetermined by the manufacturer and therefore cannot be edited or revised by the user.

The claimed invention, however, includes “editing said image data in accordance with said address,” as recited in independent claim 6. This is important for providing visibility to a user and to allow the user to edit a response e-mail (e.g., see Application at page 3, lines 25-29). Furthermore, the claimed invention also provides, “a controller for automatically transmitting image data determined in accordance with an address of a transmitter of the received e-mail,” as recited in independent claim 11. This feature is important for allowing the terminal itself to respond to and automatically forward e-mails (e.g., see Application at page 4, lines 1-14).

II. THE ALLEGED PRIOR ART REFERENCES

A. Independent Claims 1, 6, and 20

Independent claims 1, 6, and 20 have been amended to recite, among other things, “editing the image data in accordance with the known address.”

On page 3 of the Office Action, the Examiner alleges that Schwartz discloses editing

the image data in accordance with the address.

Contrary to the allegations of the Examiner, however, Schwartz does not disclose or suggest “editing said image data in accordance with said address,” as recited, for example, in independent claim 6.

Instead, Schwartz discloses that the messages that are forwarded and selected “based on predetermined criteria.” *See* Schwartz, Paragraph 15. Further, this reply message is sent as stored. Accordingly, the reply message does not undergo the “editing [of] said image data in accordance with said address,” as recited, for example, in independent claim 6.

Therefore, Schwartz does not disclose or suggest that “editing said image data in accordance with said address,” as recited in independent claim 6, and similarly recited in independent claims 1 and 20. Accordingly, Applicant submits that independent claims 1, 6, and 20 are in condition for allowance.

With respect to claims 3-5, 7, 8, 10, and 21-22, which depend from independent claims 1, 6 and 20, respectively, each of these claims contain all the limitations contained within claims 1, 6 and 20 and therefore are also in condition for allowance.

Therefore, Applicant respectfully requests the Examiner to reconsider and withdraw this rejection.

A. Independent Claims 11 and 19

On page 7 of the Office Action, the Examiner alleges that Schwartz discloses a controller for automatically transmitting image data determined in accordance with an address of a transmitter of said received e-mail, as recited in independent claim 11 and as similarly recited in independent claim 19.

Contrary to the allegations of the Examiner, however, Schwartz does not disclose or suggest “a controller for automatically transmitting image data determined in accordance with an address of a transmitter of said received e-mail,” as recited in independent claim 11.

Instead of a controller that performs automatic transmission, Schwartz discloses that the messages that are forwarded and selected through the server. *See* Schwartz, Paragraph 28 where

“on receipt of the message at the message server 16, the message server or other electronic equipment in communication therewith, will associate the message with a specific recipient and cross reference the recipient's user profile, and in particular, both the user's reply message profile and reply file profile, to determine what, if any, reply message or messages and attached files should be generated and the corresponding address or addresses where the reply messages and reply files should be sent.” (*emphasis added*)

Therefore, Schwartz does not disclose or suggest “a controller for automatically transmitting image data determined in accordance with an address of a transmitter of said received e-mail,” as recited in independent claim 11 and as similarly recited in independent claim 19. The server performs the functions that the mobile terminal itself performs.

Even at paragraph 14 of Schwartz, which was cited by the Examiner, Schwartz discloses that the reply messages and other files are stored at an associated message server, or database associated with that server, not at the terminal itself. Therefore, the terminal of Schwartz cannot act independently of the server. Accordingly, Schwartz does not disclose or suggest the controller recited in independent claims 11 and 19.

Accordingly, Applicant submits that independent claims 11 and 19 are in condition for allowance.

With respect to claims 12-16, and 18, which depend from independent claim 11, each of these claims contain all the limitations contained within claim 11 and are therefore also in condition for allowance.

Therefore, Applicant respectfully requests the Examiner to reconsider and withdraw this rejection.

III. NEW CLAIMS

Applicant has added new claim 23 to claim additional features of the invention and to provide varied protection for the claimed invention. This claim is independently patentable because of the novel features recited therein. Applicant respectfully submits that new claim 23 presents no new matter and is supported in the specification. *See* the Application, page 4, lines 5-10.

Applicant submits that new claim 23 is patentable over the cited references at least for analogous reasons to those set forth above with respect to claims 1, 3-8, 10-11, 13-16, and 18-22.

IV. FORMAL MATTERS AND CONCLUSION

In view of the foregoing, Applicant submits that claims 1, 3-8, 10-16, and 18-23, all the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

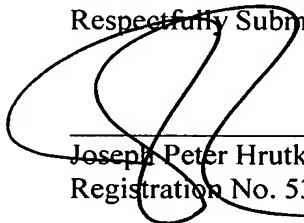
Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Date: _____

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